#### Department of Planning, Zoning & Building

#### **County Administrator**

Verdenia C. Baker



2300 N. Jog Road West Palm Beach, FL 33411

Phone: 561-233-5200 Fax: 561-233-5165

## PALM BEACH COUNTY, FLORIDA

## WEDNESDAY JULY 3, 2019 MINUTES

#### **CALL TO ORDER**

A. Roll Call

Commissioner Sheri Scarborough, Chair Present Commissioner Sam Caliendo, Vice Chair Absent Commissioner Amir Kanel Present Commissioner John Kern Present Commissioner Marcelle Griffith Burke Present Commissioner Mark Beatty Present Commissioner Robert Currie Present Commissioner Brumfield Present

- B. Opening Prayer and Pledge of Allegiance
- C. Remarks of the Chair
- D. Notice
- E. Proof of Publication

#### Motion to receive and file 7-0

| WOUGHT to | receive and | 1110 7 0 |            |              |        |        |            |
|-----------|-------------|----------|------------|--------------|--------|--------|------------|
| Beatty    | Kanel       | Burke    | Caliendo   | Scarborough  | Kern   | Currie | Brumfield  |
| Dealty    | Ranci       | Duike    | Callelluo  | Ocarborougii | IXCIII | Currie | Didillicia |
|           |             |          |            |              |        |        |            |
| Moved     |             |          |            |              |        |        | Second     |
| Moved     |             |          |            |              |        |        | Second     |
|           |             |          |            |              |        |        |            |
|           |             |          |            |              |        |        |            |
| Yes       | Yes         | Yes      | Absent     | Yes          | Yes    | Yes    | Yes        |
|           |             | . 50     | , 1.550110 | . 30         | . 50   | . 50   | . 50       |
|           |             |          |            |              |        |        |            |

### F. Adoption of the Minutes

## Motion to receive and file 7-0

| WOUGHT to | receive and | 1116 7 -0 |           |              |         |        |               |
|-----------|-------------|-----------|-----------|--------------|---------|--------|---------------|
| Beatty    | Kanel       | Burke     | Caliendo  | Scarborough  | Kern    | Currie | Brumfield     |
| Doutty    | rtarioi     | Barko     | Canonac   | Coarsorougii | 1 (0111 | Carrio | Di airiii ola |
|           |             |           |           |              |         |        |               |
| Moved     |             |           |           |              |         |        | Second        |
|           |             |           |           |              |         |        | <b>3</b> 000a |
|           |             |           |           |              |         |        |               |
| Yes       | Yes         | Yes       | Absent    | Yes          | Yes     | Yes    | Yes           |
|           | . 00        | 100       | 7 1000111 | 100          | 100     | 1.00   | 100           |
| [         |             |           |           |              |         | I      | 1             |

G. Swearing In

H. Disclosures

| Beatty                     | Kanel | Burke | Caliendo | Scarborough | Kern | Currie | Brumfield |
|----------------------------|-------|-------|----------|-------------|------|--------|-----------|
| 7,8<br>*Recused:<br>#5, #6 | 0     | 8     | Absent   | 5,7,8       | 7,8  | 8      | 0         |

<sup>\*</sup>Commissioner Mark Beatty Recused himself from PDD-2019-00292 Broward Rentals MPUD, Z-2019-00527 Homrich Nursery.

#### POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

#### A. POSTPONEMENTS

#### B. REMANDS

1. <u>SV/ZV/CA-2018-01805</u> <u>Title:</u> a Subdivision Variance application of JMB Holdings, LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. <u>Request:</u> to reduce the minimum legal right-of-way access width.

<u>Title:</u> a Type 2 Variance application of JMB Holdings, LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. <u>Request:</u> to reduce setbacks, landscape buffer width; reduce and eliminate landscape buffer vegetation materials; eliminate landscape protection measures (curbing) and trees; and, to allow location of a fence on the property line and to eliminate requirement to plant on exterior side of the fence.

<u>Title:</u> a Class A Conditional Use application of JMB Holdings, LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. <u>Request:</u> to allow a Type 2 Congregate Living Facility.

<u>General Location:</u> Northwest corner of 155th Place North and 79th Terrace North. (Banyan House) (Control 2015-00115)

Pages 1 - 1

Project Manager: Carrie Rechenmacher

Size: 1.83 acres ± BCC District: 1

<u>Staff Recommendation:</u> Staff Recommends approval of the Applicant's request to remand to the Development Review Officer (DRO).

**MOTION**: To approve the request to remand to the DRO.

Motion carried 7-0-0

| Wollon barriot | 1100  |        |          |             |       |        |           |
|----------------|-------|--------|----------|-------------|-------|--------|-----------|
| Beatty         | Kanel | Burke  | Caliendo | Scarborough | Kern  | Currie | Brumfield |
|                |       | Second |          |             | Moved |        |           |
| Yes            | Yes   | Yes    | Absent   | Yes         | Yes   | Yes    | Yes       |

## Approved a remand to the DRO by a vote of 7-0-0.

2. ZV/CA-2018-01804 Title: Type 2 Variance application of Dakota Limited Holdings, LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to reduce parking space dimensions and drive aisle width, allow location of a fence on the property line and eliminate requirement to plant on exterior side of the fence; eliminate parking lot surface material requirement, landscape protection measures (curbing), Right-of-Way (R-O-W), Incompatibility Buffer and landscape island landscaping; and, to increase easement overlap in the R-O-W Buffer.

<u>Title:</u> a Class A Conditional Use application of Dakota Limited Holdings, LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. <u>Request:</u> to allow a Type 2 Congregate Living Facility.

<u>General Location:</u> North side of Donald Ross Road, approximately 350 feet east of 69th Drive North. (**Hedge House**) (Control 2018-00013)

Pages 2 - 2

Project Manager: Carolina Valera

Size: 1.09 acres <u>+</u> BCC District: 1

<u>Staff Recommendation:</u> Staff Recommends approval of the Applicant's request to remand to the Development Review Officer (DRO).

**MOTION**: To approve the request to remand to the DRO.

Motion carried 7-0-0

| Beatty | Kanel | Burke  | Caliendo | Scarborough | Kern  | Currie | Brumfield |
|--------|-------|--------|----------|-------------|-------|--------|-----------|
|        |       | Second |          |             | Moved |        |           |
| Yes    | Yes   | Yes    | Absent   | Yes         | Yes   | Yes    | Yes       |

## C. WITHDRAWALS

**END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA** 

#### **CONSENT AGENDA**

#### A. REQUESTS TO PULL ITEMS FROM CONSENT

#### **B. STATUS REPORTS**

#### C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

3. **ZV-2018-01037** Title: a Type 2 Variance application of Totally Glass & Blinds, LLC by Land Research Management Inc., Agent. Request: to reduce: front, side and rear setbacks, lot size, frontage, depth, terminal island width and planting material, interior landscaping material, Right-of-Way (R-O-W) buffer width and planting material, Compatibility Buffer width and planting material, and required parking; and, to eliminate dumpster, loading space, and Foundation Planting and planting materials.

<u>General Location:</u> West side of Military Trail, approximately 0.25 miles south of Belvedere Road. **(Totally Glass & Blinds)** (Control 2011-00348)

Pages 3 - 61

Conditions of Approval Pages (8 - 9) Project Manager: Carlos Torres

Size: 0.15 acres <u>+</u> BCC District: 7

<u>Staff Recommendation:</u> Staff recommends approval of the Request subject to the Conditions of Approval as indicated on Exhibit C.

**MOTION**: To adopt a Resolution approving a Type 2 Variance to reduce: front, side and rear setbacks, lot size, frontage, depth, terminal island width and planting material, interior landscaping material, Right-of-Way (R-O-W) buffer width and planting material, Compatibility Buffer width and planting material, and required parking; and, to eliminate dumpster, loading space, and Foundation Planting and planting materials. subject to the Conditions of Approval as indicated in Exhibit C.

#### Motion carried 7-0-0

| Beatty | Kanel  | Burke | Caliendo | Scarborough | Kern  | Currie | Brumfield |
|--------|--------|-------|----------|-------------|-------|--------|-----------|
|        | Second |       |          |             | Moved |        |           |
| Yes    | Yes    | Yes   | Absent   | Yes         | Yes   | Yes    | Yes       |

Approved a Type 2 Variance (with conditions) by a vote of 7-0-0.

#### D. ZONING APPLICATIONS - NEW

4. **Z-2019-00510** Title: an Official Zoning Map Amendment application of Kendall Morikami Llc, Waverly SP, LLC by Miller Land Planning, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District.

<u>General Location:</u> North side of Morikami Park Road, approximately 630 feet west of South Jog Road. (Morikami Estates) (Control 2008-00522)

Pages 62 - 77

Conditions of Approval Pages (66 - 66)

Project Manager: Carolina Valera

Size: 4.99 acres <u>+</u> BCC District: 5

<u>Staff Recommendation:</u> Staff recommends approval of the request subject to the Condition of Approval as indicated in Exhibit C.

**MOTION**: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District, subject to the Condition of Approval as indicated in Exhibit

Motion carried 7-0-0

| Beatty | Kanel  | Burke | Caliendo | Scarborough | Kern  | Currie | Brumfield |
|--------|--------|-------|----------|-------------|-------|--------|-----------|
|        | Second |       |          |             | Moved |        |           |
| Yes    | Yes    | Yes   | Absent   | Yes         | Yes   | Yes    | Yes       |

Recommended Approval of an Official Zoning Map Amendment by a vote of 7-0-0.

5. <u>PDD-2019-00292</u> <u>Title:</u> an Official Zoning Map Amendment application of Broward Rentals, Inc. by JMorton Planning & Landscape Architecture, Agent. <u>Request:</u> to allow a rezoning from the Light Industrial (IL) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

<u>General Location:</u> South side of Atlantic Avenue, approximately 0.2 miles east of State Road 7/US 441. (Broward Rentals MUPD) (Control 2016-00130)

Pages 78 - 99

Conditions of Approval Pages (83 - 85)
Project Manager: Carolina Valera

Size: 10.53 acres <u>+</u> BCC District: 5

<u>Staff Recommendation:</u> Staff recommends approval of the request subject to the Conditions of Approval as indicated in Exhibit C.

**MOTION**: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Light Industrial (IL) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District, subject to the Conditions of Approval as indicated in Exhibit C.

#### Motion carried 6-0-1

| Beatty   | Kanel  | Burke | Caliendo | Scarborough | Kern | Currie | Brumfield |
|----------|--------|-------|----------|-------------|------|--------|-----------|
|          | Second |       |          |             |      |        | Moved     |
| *Recused | Yes    | Yes   | Absent   | Yes         | Yes  | Yes    | Yes       |

<sup>\*</sup>Commissioner Mark Beatty Recused himself from PDD-2019-00292.

#### Postponed to August 1, 2019 by a vote of 6-0-1.

6. <u>Z-2019-00527</u> <u>Title:</u> an Official Zoning Map Amendment application of Stephen Homrich, FCC Environmental Services, LLC, Rose Homrich by JMorton Planning & Landscape Architecture, Agent. <u>Request:</u> to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Light Industrial (IL) Zoning District.

<u>General Location:</u> West Side of State Road 7, approximately 600 feet north of Boynton Beach Boulevard (with additional frontages on 100th Street South and 97th Place South). **(Homrich Nursery)** (Control 2015-00133)

Pages 100 - 116

Conditions of Approval Pages (105 - 105)

Project Manager: Meredith Leigh

Size: 13.44 acres ± BCC District: 5

<u>Staff Recommendation:</u> Staff recommends approval of the request subject to a Conditional Overlay Zone and Conditions of Approval as indicated in Exhibit C.

**MOTION**: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Light Industrial (IL) Zoning District, with a Conditional Overlay Zone (COZ), subject to the Conditions of Approval as indicated in Exhibit C.

### Motion carried 6-0-1

| Beatty | Kanel | Burke | Caliendo | Scarborough | Kern  | Currie | Brumfield |
|--------|-------|-------|----------|-------------|-------|--------|-----------|
|        |       |       |          |             | Moved |        | Second    |

**CONSENT AGENDA** 

| *Recused | Yes | Yes | Absent | Yes | Yes | Yes | Yes |
|----------|-----|-----|--------|-----|-----|-----|-----|
|          |     |     |        |     |     |     |     |

## \*Commissioner Mark Beatty Recused himself from Z-2019-00527. \*Approved a remand to the DRO by a vote of 6-0-1.

#### E. **CORRECTIVE RESOLUTIONS**

## F. ABANDONMENTS

**END OF CONSENT AGENDA** 

#### **REGULAR AGENDA**

#### A. ITEMS PULLED FROM CONSENT

#### **B. STATUS REPORTS**

#### C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

#### D. ZONING APPLICATIONS - NEW

7. <u>ZV-2018-02101</u> <u>Title:</u> a Type 2 Variance application of Gulf Stream Views LLC by Miller Land Planning, Agent. <u>Request:</u> to reduce the side street setback for residential pools. <u>General Location:</u> Southwest corner of Briny Breezes Blvd. and Old Ocean Blvd. (30 Ocean) (Control 2002-30054)

Pages 117 - 139

Conditions of Approval Pages (120 - 120)

Project Manager: Travis Goodson

Size: 1.96 acres <u>+</u> BCC District: 4

<u>Staff Recommendation:</u> Staff recommends denial of the request for a Type 2 Variance to reduce the side street setback for residential pools. Should the Zoning Commission support the variance, Staff recommends the request be subject to the Conditions of Approval as indicated in Exhibit C.

**MOTION**: To adopt a Resolution denying a Type 2 Variance to reduce the side street setback for residential pools.

#### Motion carried 7-0-0

| Beatty | Kanel | Burke | Caliendo | Scarborough | Kern  | Currie | Brumfield |
|--------|-------|-------|----------|-------------|-------|--------|-----------|
|        |       |       |          |             | Moved | Second |           |
| Yes    | Yes   | Yes   | Absent   | Yes         | Yes   | Yes    | Yes       |

#### Approved a Type 2 Variance by a vote of 7-0-0.

8. <u>DOA-2018-02144</u> <u>Title:</u> a Development Order Amendment application of Delray Golf Investors LLC, Palm Greens Recreation Condom Ass Inc., 13FH Palm Beach, LP by Urban Design Kilday Studios, Agent. <u>Request:</u> to reconfigure the Master Plan; redesignate Golf Course areas to Residential and Civic Pods; add residential units; and, add access points.

<u>General Location:</u> Northeast corner of Lake Ida Road and El Clair Ranch Road, within an area partially bounded by the LWDD E-3 canal to the east (0.5 miles west of Military Trail), El Clair Ranch Road and South Jog Road to the west, and the LWDD L-29 Canal to the north (approximately 0.4 miles north of Flavor Pict Road). (Delray Trails at Villa del Ray PUD) (Control 1971-00013)

Pages 140 - 187

Conditions of Approval Pages (147 - 151)

Project Manager: Carolina Valera

Size: 671.80 acres +

BCC District: 5

(affected area 118.94 acres +)

<u>Staff Recommendation:</u> Staff recommends approval of the request subject to the Conditions of Approval as indicated in Exhibit C.

**MOTION**: To recommend approval of a Development Order Amendment to reconfigure the Master Plan; redesignate Golf Course areas to Residential and Civic Pods; add residential units; and, add access points, subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 7-0-0

| Beatty | Kanel | Burke | Caliendo | Scarborough | Kern | Currie | Brumfield |
|--------|-------|-------|----------|-------------|------|--------|-----------|
| Second |       |       |          |             |      |        | Moved     |
| Yes    | Yes   | Yes   | Absent   | Yes         | Yes  | Yes    | Yes       |

Recommended Approval of a Development Order Amendment, as amended by a vote of 7-0-0.

- E. SUBDIVISION VARIANCE
- F. OTHER ITEMS

#### **END OF REGULAR AGENDA**

#### **COMMENTS**

- A. COUNTY ATTORNEY
- **B. ZONING DIRECTOR**
- 9. <u>Title:</u> Commissioners reset passwords on County e-mail address.
- C. PLANNING DIRECTOR
- D. EXECUTIVE DIRECTOR
- E. COMMISSIONERS

**ADJOURNMENT 11:37A.M.** 

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

| LAST NAME—FIRST NAME—MIDDLE NAME BEATTY MARK STEVEN MAILING ADDRESS 2461 PALM HARBOR DRIVE |            | NAME OF BOA   | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE PALM BEACH COUNTY ZONING COMMISSION |            |   |  |
|--|------------|---|---|------------|---|--|
|  |            | PALM BEACH C  |   |            |   |  |
|  |            | THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: |   |            |   |  |
|  |            |   |   |            |   |  |
| CITY   | COUNTY     |   |   |            |   |  |
| PALM BEACH GARDENS, FLORIDA  | PALM BEACH | NAME OF POLITICAL SUBDIVISION:  |   |            |   |  |
| DATE ON WHICH VOTE OCCURRED  |            | MY POSITION IS:   |   |            | _ |  |
| ABSTAINED FROM VOTING 07-03-2019   |            | I III TOOMON  | □ ELECTIVE  | APPOINTIVE |   |  |

#### WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

#### INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

#### **ELECTED OFFICERS:**

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

#### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

• You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

#### **APPOINTED OFFICERS (continued)**

- · A copy of the form must be provided immediately to the other members of the agency.
- · The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- · You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the
  meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the
  agency, and the form must be read publicly at the next meeting after the form is filed.

| DISCLOSURE OF LOCAL OFFICER'S INTEREST   |      |  |  |  |  |
|--|------|--|--|--|--|
| I, MARK STEVEN BEATTY, hereby disclose that on _JULY 03,, 20 _19   |      |  |  |  |  |
| (a) A measure came or will come before my agency which (check one)   |      |  |  |  |  |
| ✓ inured to my special private gain or loss;   |      |  |  |  |  |
| inured to the special gain or loss of my business associate,   | :    |  |  |  |  |
| inured to the special gain or loss of my relative,   | ;    |  |  |  |  |
| inured to the special gain or loss of  | ر by |  |  |  |  |
| whom I am retained; or   |      |  |  |  |  |
| inured to the special gain or loss of, wh  | hich |  |  |  |  |
| is the parent organization or subsidiary of a principal which has retained me.   |      |  |  |  |  |
| (b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:   |      |  |  |  |  |
| MY FIRM, ARCHITECTURE GREEN LLC. RETAINED JMORTON PLANNING AND LANDSCAPE ARCHITECTURE TO PROVIDE LANDSCAPE ARCHITECTURE SERVICES FOR CANYON DISTRICT PARK. | ₹    |  |  |  |  |
| ZONING COMMISSION PUBLIC HEARING JULY, 03, 2019 AGENDA ITEM #5 PDD-2019-00292 AGENDA ITEM #6 7-2019-00527  |      |  |  |  |  |

Date Filed

S/gnature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

| LAST NAME—FIRST NAME—MIDDLE NAME BEATTY MARK STEVEN MAILING ADDRESS 2461 PALM HARBOR DRIVE |            | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE PALM BEACH COUNTY ZONING COMMISSION THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON |                |            |  |                             |  |       |          |                     |
|--|------------|---|----------------|------------|--|-----------------------------|--|-------|----------|---------------------|
|  |            |   |                |            |  | WHICH I SERVE IS A UNIT OF: |  |       |          |                     |
|  |            |   |                |            |  |                             |  | Псіту | □ COUNTY | NOTHER LOCAL AGENCY |
|  |            | CITY  | COUNTY         | -          |  |                             |  |       |          |                     |
| PALM BEACH GARDENS, FLORIDA  | PALM BEACH | NAME OF POLITICAL SUBDIVISION:  |                |            |  |                             |  |       |          |                     |
| DATE ON WHICH VOTE OCCURRED  |            | MY POSITION I   | S <sup>.</sup> |            |  |                             |  |       |          |                     |
| ABSTAINED FROM VOTING 07-03-2019   |            |   | ☐ ELECTIVE     | APPOINTIVE |  |                             |  |       |          |                     |

#### WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

#### INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

#### **ELECTED OFFICERS:**

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

#### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the
minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

#### APPOINTED OFFICERS (continued)

- · A copy of the form must be provided immediately to the other members of the agency.
- · The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the
  meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the
  agency, and the form must be read publicly at the next meeting after the form is filed.

| DISCLOSURE OF LOCAL OFFICER'S INTEREST  |  |         |  |  |
|---|--|---------|--|--|
| I, MARK STEVEN BEATTY   | , hereby disclose that on _JULY 03,  | 20 19   |  |  |
| (a) A measure came or will come before my age   | ency which (check one)   |         |  |  |
| ✓ inured to my special private gain or loss;  |  |         |  |  |
| inured to the special gain or loss of my b  | usiness associate,   |         |  |  |
| inured to the special gain or loss of my re   | elative,   | ;       |  |  |
| inured to the special gain or loss of   |  | , by    |  |  |
| whom I am retained; or  |  |         |  |  |
| inured to the special gain or loss of   |  | , which |  |  |
| is the parent organization or subsidiary o  | of a principal which has retained me.                                      |         |  |  |
| (b) The measure before my agency and the nation   | ure of my conflicting interest in the measure is as follows:               |         |  |  |
|   | REEN LLC. RETAINED JMORTON PLANNING<br>E TO PROVIDE LANDSCAPE ARCHITECTURE |         |  |  |
| ZONING COMMISSION PUBLI<br>JULY, 03, 2019<br>AGENDA ITEM #5 PDD-2019-0<br>AGENDA ITEM #6 Z-2019-005 | 00292  |         |  |  |
|   | VICLO  | 4       |  |  |

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.